

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOHN FOURNIER III,  
ALLEN KOSKELLA and  
DEREK WYRICK,

Case No. 19-11899

Plaintiffs,

Hon. Sean F. Cox

v

DOWNRIVER UTILITY CONSTRUCTION,  
INC., ALICIA CLOSE and JASON CLOSE,

Defendants.

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**STIPULATED ORDER OF DISMISSAL**  
**WITHOUT PREJUDICE AND WITHOUT COSTS AND FEES**

WHEREAS, the Parties have agreed to settle this matter; they have executed a Settlement Agreement and Release (“the Settlement Agreement”); and the Court has approved the parties’ Settlement Agreement (*See* Dkt. 18).

WHEREAS, pursuant to the Parties’ Settlement Agreement, the Parties have agreed to dismiss the above-referenced cause of action at this time without prejudice and without costs, interest and attorney’s fees to any party.

WHEREAS, the Parties have also agreed that within 21 days of the completion of the terms and conditions of the Parties' settlement, the Parties will enter a subsequent stipulation to dismiss the above-referenced cause of action with prejudice and without costs, interest and attorney fees to any party.

THEREFORE, based on the Parties' stipulation to the foregoing, and the Court being otherwise fully advised in the premises:

IT IS HEREBY ORDERED that the above entitled cause be and is dismissed without prejudice and without costs, interest and attorney fees to any party.

IT IS FURTHER ORDERED that within 21 days of the Parties completing the terms and conditions of the Parties' Settlement Agreement, the Parties will enter a subsequent stipulation to dismiss the above-referenced cause of action with prejudice and without costs, interest and attorney fees to any party

Dated: June 9, 2020

s/Sean F. Cox

Sean F. Cox

U. S. District Judge

**Approved as to form and substance:**

/s/ William R. Thomas

William R. Thomas (P77760)

Attorney for Defendants

/s/ Caitlin E. Malhiot (with consent)

Caitlin E. Malhiot (P76606)

Attorney for Plaintiffs